

0030



JON M. HUNTSMAN, JR.  
Governor  
GARY R. HERBERT  
Lieutenant Governor

**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

MICHAEL R. STYLER      JOHN R. BAZA  
Executive Director      Division Director

*Outgoing &  
C/041/0002*

UTAH DIVISION OF OIL, GAS AND MINING  
FACSIMILE COVER SHEET

DATE: November 15, 2005  
FAX#: 435-286-4499  
ATTN: Mike Davis  
COMPANY: Canyon Fuel  
NUMBER OF PAGES (INCLUDING THIS ONE): 3

FROM: A. Nance

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We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGES: \_\_\_\_\_  
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Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



STATE OF UTAH  
NATURAL RESOURCES  
Division of Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

Page 1 of 2

NO. N 05-53-1-1

To the following Permittee or Operator:

Name Canyon Fuel Company, LLC

Mine SUFEO ☐ Surface ☒ Underground ☐ Other

County Sevier State Utah Telephone (435) 286-4400

Mailing Address 397 South 800 West, Salina, UT 84654

State Permit No. C0410002

Ownership Category ☐ State ☒ Federal ☐ Fee ☐ Mixed

Date of inspection 10/13/2005, 19

Time of inspection 10:00 ☒ a.m. ☐ p.m. to 4:00 ☐ a.m. ☒ p.m.

Operator Name (other than Permittee) \_\_\_\_\_

Mailing Address \_\_\_\_\_

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining** is ☐ is not ☒ expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

#7002 0510 0003 8602 8482

Date of service/mailling 11/14/05

Time of service/mailling 11:00 ☒ a.m. ☐ p.m.

Permittee/Operator representative

Title

Signature

Steve Fluke  
Division of Oil, Gas & Mining representative

Environmental Scientist II  
Title

Signature

#53  
Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE

notice of violation



## NOTICE OF VIOLATION NO. N 05-53-1-1

Violation No. 1 of 1

### Nature of violation

Coal fines appear to have been released into the North Fork of Quitchupah Creek from UPDES outfall 003. Observed impacts to the creek were anonymously reported to DWQ on October 5, 2005. The release apparently occurred sometime prior to that date during the week prior to that date.

### Provisions of act, regulations or permit violated

R645-301-731.121 Surface water protection: additional contributions of suspended solids to stream flow, prevent water pollution  
R645-301-742.111 Requirement to prevent additional contributions of suspended solids to stream flow  
R645-301-752.220, .230, .240 Sediment control measures

### Portion of operation to which notice applies

Downstream of UPDES outfall 003 in the North Fork of Quitchupah Creek and Quitchupah Creek within and outside of the permit area.

### Remedial action required (including any interim steps)

The Permittee shall submit to DOGM and DWQ a findings of their investigations regarding the cause of the coal fines release and a preventative action plan that addresses measures taken to control future releases.

### Abatement time (including interim steps)

Within 10 days from issuance <sup>(SMF)</sup> of receipt of NOV N05-53-1-1. (no later than November 30, 2005)

TRANSACTION REPORT

P. 01

NOV-15-2005 TUE 04:33 PM

FOR: OIL, GAS & MINING

801 359 3940

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
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